



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/064,690	08/07/2002	Brian Bennie	201-1266	9312

28549 7590 08/27/2003

KEVIN G. MIERZWA  
ARTZ & ARTZ, P.C.  
28333 TELEGRAPH ROAD, SUITE 250  
SOUTHFIELD, MI 48034

EXAMINER

NGUYEN, PHUNG

ART UNIT	PAPER NUMBER
----------	--------------

2632

DATE MAILED: 08/27/2003

2

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/064,690

Applicant(s)

BENNIE ET AL.

Examiner

Phung T Nguyen

Art Unit

2632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 07 August 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Objections***

1. Claims 11 and 14 are objected to because of the following informalities:
  - Claim 11, lines 1 and 2, "the first location second location" should be changed to --the first location or second location--
  - Claim 14, lines 4 and 5, an additional claim is included.

Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mendez et al. (U.S. Pat. 5,612,671) in view of Suda (U.S. Pat. 5,990,785).

**Regarding claim 1:** Mendez et al. disclose a method of learning tire pressure transmitter ID comprising a plurality of tire location and a memory (col. 3, lines 19-24) having an ignition signal (col. 3, lines 25-51). Mendes et al. disclose entering a learn mode in response to the ignition signal (col. 3, lines 25-58) but do not show entering a learn mode in response to the ignition signal and the brake condition signal as claimed. However, entering a learn mode in response to the ignition signal and the brake condition is known in the art as taught by Suda (col. 8, lines 54-67, and col. 9, lines 1-4). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Suda and Mendez

et al. because they both teach a system using the learn mode routine for controlling and monitoring apparatus for vehicles. It is seen that entering the learn mode by using the brake condition signal in addition to the ignition signal would enhance the system of Mendez et al. in order to prevent errors.

**Regarding claim 2:** Suda discloses the condition signal transitions from an off state to an on state (col. 9, lines 5-9).

**Regarding claim 3:** Suda discloses counting the number of transitions before and after generating the brake condition signal (col. 9, lines 5-15).

**Regarding claim 4:** Mendez et al. disclose the predetermined number comprising three (col. 3, lines 52-54).

**Regarding claim 5:** Suda discloses generating a brake transition signal (col. 9, lines 5-8).

**Regarding claim 6:** Mendez et al. disclose a tell-tale display 22 (col. 2, lines 46-52).

**Regarding claim 7:** Mendez et al. disclose activating a timer in response to entering the learn mode (col. 4, lines 49-60).

**Regarding claim 8:** Mendez et al. disclose a first transmitter identification signal is received, resetting the timer and generating a second display signal indicative of a second tire location (col. 1, lines 59-63, and col. 3, lines 2-6).

**Regarding claim 9:** Mendez et al. disclose receiving a second transmitter identification signal (col. 1, lines 59-67).

**Regarding claim 10:** Mendez et al. disclose associating the first identification signal with a first tire location and a second identification signal with a second tire location (col. 2, lines 39-41).

**Regarding claim 11:** Mendez et al. disclose a spare location (col. 2, lines 4-6).

**Regarding claim 12:** Mendez et al. disclose generating a speed signal (col. 2, lines 62-65); a plurality of display signals indicative of the response plurality of tire location (col. 2, lines 34-40); activating a timer (col. 3, lines 42-44); and associating the respective plurality of identification signals with the respective plurality of locations in a memory (col. 3, lines 18-30); plus the consideration of claim 1 above.

**Regarding claim 13:** Suda discloses a status signal indicative of a successful process (col. 9, lines 10-12).

**Regarding claim 14:** Mendez et al. disclose during the steps of activating, the ignition is off leaving the learn mode (col. 3, lines 28-30). Mendez et al. do not teach during the steps of activating, the speed is greater than a predetermined speed leaving the learn mode as claimed. However, Mendez et al. teach activating the switch 34 when the tire speed reaches a predetermined speed (col. 2, lines 62-65, and col. 3, lines 25-30). Therefore, it would have been an obvious to the skilled artisan to enter/leave the learn mode based on the predetermined speed as desired.

**Regarding claim 15:** Mendez et al. disclose a spare location (col. 2, lines 4-6).

**Regarding claim 16:** All the claimed subject matter is already discussed in respect to claims 2 and 12 above. Suda also teaches a controller in the form of pager vehicle communication apparatus (PVCA) coupled to the counter (col. 9, lines 5-15).

**Regarding claim 17:** All the claimed subject matter is already discussed in respect to claims 6 and 12 above.

**Regarding claim 18:** Mendez et al. disclose a memory, and associating the respective plurality of identification signals with the respective plurality of locations in a memory (col. 3, lines 18-25).

***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Nishihara et al. [U.S. Pat. 5,589,815] disclose a system for determining pneumatic tire pressure for motor vehicle.

b. Mendez et al. [U.S. Pat. 5,463,374] disclose a method and apparatus for tire pressure monitoring and for shared keyless entry control.

c. Speranza [U.S. Pat. 4,443,785] discloses a low power put timer circuit and the application thereof within a tire pressure monitor.

d. Marguet et al. [U.S. Pat. 6,518,876] disclose a determination of wheel sensor position using radio frequency detectors in an automotive remote tire monitor system.

e. Nakajima [U.S. Pat. 5,959,202] discloses a device for determining initial correction factor for correcting rotational velocity of tire.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phung T Nguyen whose telephone number is 703-308-6252. The examiner can normally be reached on 8:00am-5:30pm Mon thru. Friday, with alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on 703-308-6730. The fax numbers for the organization

Application/Control Number: 10/064,690

Page 6


Art Unit: 2632

where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-308-9051 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.

Examiner: Phung Nguyen

Date: August 14, 2003

  
DANIEL J. WU  
PRIMARY EXAMINER  
8/24/03